

**June 5, 2024**

**STATEMENT OF PROCEEDINGS**

*The Minutes of the*

***BOARD OF SUPERVISORS  
REGULAR MEETING  
PLANNING AND LAND USE MATTERS***

**COUNTY OF SAN DIEGO**

STATEMENT OF PROCEEDINGS  
COUNTY OF SAN DIEGO BOARD OF SUPERVISORS - LAND USE  
REGULAR MEETING  
**WEDNESDAY, JUNE 5, 2024, 9:00 AM**  
COUNTY ADMINISTRATION CENTER, ROOM 310  
1600 PACIFIC HIGHWAY, SAN DIEGO, CALIFORNIA

Order of Business

- A. REGULAR SESSION: Meeting was called to order at 9:05 a.m.

PRESENT: Supervisors Nora Vargas, Chair; Terra Lawson-Remer, Vice-Chair; Joel Anderson; Monica Montgomery Steppe; Jim Desmond; also, Ryan Sharp, Assistant Clerk of the Board of Supervisors.

- B. Statement (just cause) and/or Consideration of a Request to Participate Remotely (emergency circumstances) by a Supervisor, if applicable.
- C. Closed Session Report
- D. Non-Agenda Public Communication: Opportunity for members of the public to speak to the Board on any subject matter within the Board's jurisdiction but not an item on today's agenda.
- E. Approval of the Statement of Proceedings/Minutes for the meeting of May 22, 2024.

**ACTION:**

ON MOTION of Supervisor Anderson, seconded by Supervisor Montgomery Steppe, the Board of Supervisors approved the Statement of Proceedings/Minutes for the Regular Board of Supervisors meeting of May 22, 2024.

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

- F. Consent Calendar
- G. Discussion Items

NOTICE: THE BOARD OF SUPERVISORS MAY TAKE ANY ACTION WITH RESPECT TO THE ITEMS INCLUDED ON THIS AGENDA. RECOMMENDATIONS MADE BY COUNTY STAFF DO NOT LIMIT ACTIONS THAT THE BOARD OF SUPERVISORS MAY TAKE. MEMBERS OF THE PUBLIC SHOULD NOT RELY UPON THE RECOMMENDATIONS IN THE BOARD LETTER AS DETERMINATIVE OF THE ACTION THE BOARD OF SUPERVISORS MAY TAKE ON A PARTICULAR MATTER.

## **Board of Supervisors' Agenda Items**

- | <b>Agenda #</b> | <b>Subject</b>  |
|-----------------|---|
| 1.              | NOTICED PUBLIC HEARING:<br>SANTA YSABEL COUNTY PRESERVE - APPROVE ACQUISITION OF APPROXIMATELY 540 ACRES OF OPEN SPACE PRESERVE FROM SANTA YSABEL RANCH, LLC AND RELATED CEQA EXEMPTION (5/1/2024 - SET HEARING; 6/5/2024 - HOLD HEARING)<br>[FUNDING SOURCES: AVAILABLE PRIOR YEAR GENERAL FUND FUND BALANCE AND EXISTING DPR GENERAL PURPOSE REVENUE]   |
| 2.              | ADOPT A RESOLUTION APPROVING A LIST OF PROJECTS PROPOSED TO BE FUNDED BY SENATE BILL 1 FOR FISCAL YEAR 2024-25 AND RELATED CEQA EXEMPTION   |
| 3.              | PUBLIC HEARING TO CONFIRM FISCAL YEAR 2024-25 LEVIES IN THE SAN DIEGO COUNTY STREET LIGHTING DISTRICT AND LANDSCAPE MAINTENANCE DISTRICT ZONES NO. 1 - RANCHO SAN DIEGO AND NO. 2 - JESS MARTIN PARK AND RELATED CEQA EXEMPTION<br>[FUNDING SOURCES: PROPERTY OWNER PAID ASSESSMENTS AND A PORTION OF ANNUAL COUNTYWIDE PROPERTY TAX REVENUES THAT WAS ALLOCATED BY FORMULA TO SPECIAL DISTRICTS AS A RESULT OF PROPOSITION 13 (1978) AND SUBSEQUENT LEGISLATION, INCLUDING ASSEMBLY BILL 8 (1979)] |
| 4.              | GENERAL SERVICES - ADOPT A RESOLUTION TO SUMMARILY VACATE AN OFFER OF DEDICATION FOR FUTURE PUBLIC STREET IN THE VALLEY CENTER COMMUNITY PLAN AREA AND CEQA EXEMPTION (VAC 2023-0213)<br>[FUNDING SOURCE: DEPOSIT FROM THE APPLICANT]   |
| 5.              | AUTHORIZE AN AGREEMENT WITH THE YMCA OF SAN DIEGO COUNTY FOR THE U.S. ENVIRONMENTAL PROTECTION AGENCY ENVIRONMENTAL AND CLIMATE JUSTICE COMMUNITY CHANGE GRANT IN SUPPORT OF THE GATEWAY TO THE CALIFORNIAS AND RELATED CEQA EXEMPTION  |
| 6.              | AUTHORIZE SINGLE SOURCE PROCUREMENT WITH THE SAN DIEGO TIJUANA WORLD DESIGN CAPITAL 2024 FOR "GATEWAY TO THE CALIFORNIAS" TIJUANA RIVER VALLEY REGIONAL PARK ACTIVE RECREATION AND COMMUNITY PARK DESIGN SERVICES AND RELATED CEQA EXEMPTION<br>[FUNDING SOURCE: GENERAL FUND FUND BALANCE]   |

7. NOTICED PUBLIC HEARING:  
GREENHILLS RANCH PHASE II SPECIFIC PLAN AMENDMENT, ZONE  
RECLASSIFICATION, TENTATIVE MAP, AND MITIGATED NEGATIVE  
DECLARATION
8. UPDATE ON DEVELOPING A COUNTY OF SAN DIEGO VEHICLE MILES  
TRAVELED (VMT) MITIGATION PROGRAM AND ASSOCIATED  
EXEMPTION TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT  
[FUNDING SOURCE: ONE-TIME GENERAL PURPOSE REVENUE]
9. NON-AGENDA PUBLIC COMMUNICATION

Page 2 of 2  
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**1. SUBJECT:           NOTICED PUBLIC HEARING:  
SANTA YSABEL COUNTY PRESERVE - APPROVE ACQUISITION  
OF APPROXIMATELY 540 ACRES OF OPEN SPACE PRESERVE  
FROM SANTA YSABEL RANCH, LLC AND RELATED CEQA  
EXEMPTION (5/1/2024 - SET HEARING; 6/5/2024 - HOLD  
HEARING) (DISTRICT: 5)**

**OVERVIEW**

On May 1, 2024 (01), the Board of Supervisors set a Hearing on June 5, 2024.

The Department of Parks and Recreation (DPR) enhances the quality of life in San Diego County by providing exceptional parks and recreation experiences and preserving natural resources. A core aspect of DPR's conservation program is acquiring open space lands that support sensitive species and habitat. DPR has identified approximately 540 acres of vacant land available and has entered into an agreement to purchase the property adjacent to the existing Santa Ysabel County Preserve in Santa Ysabel. If acquired, the existing approximately 6,370-acre Santa Ysabel County Preserve would be expanded to approximately 6,900 acres, conserving chamise chaparral, Engelman oak woodland, and grassland habitat.

This acquisition enhances conservation under the Multiple Species Conservation Program (MSCP) set by federal and State requirements for special status species conservation. It also supports multiple County of San Diego (County) sustainability goals, habitat and biodiversity, biological connectivity, greenhouse gas reductions, and benefits water and air quality.

Through the County's MSCP Program, the County has acquired over 46,200 acres of open space land for conservation within the three MSCP Subareas. The acreage of preserve lands within the three MSCP Plan Areas include approximately: 14,000 acres within the South County Plan Area, 25,000 acres within the draft North County Plan Area, and 7,200 acres within the proposed East County Plan Area. This acquisition would add 222 acres to the draft North County Plan Area and reduce greenhouse gas emissions by approximately 282 metric tons of carbon dioxide equivalent per year. Additionally, conservation of the property provides flood control benefits and protection of water quality.

The County entered into an Option Agreement with the Santa Ysabel Ranch, LLC (Seller) for the purchase of approximately 540 acres as portions of Assessor's Parcel Numbers 247-010-05-00, 247-031-02-00, 247-040-05-00, 247-062-01-00 (Property) for the appraised value of \$4,304,000 (\$8,000±/acre).

Today's request is for the Board of Supervisors (Board) to set a hearing for June 5, 2024, to consider approval of the purchase of the Property, and to direct the Clerk of the Board to provide public notice of the hearing. If the Board approves the request on June 5, 2024, after making the necessary findings, the Board will be requested to authorize the Director, Department of General Services (DGS) to purchase the Property from the Seller for the appraised value of \$4,304,000.

The total one-time County cost, including property acquisition, staff time, and initial stewardship is \$4,792,000. Funds for this request are included in the Fiscal Year (FY) 2023-24 Operational Plan of the Multiple Species Conservation Program Acquisition Fund. The annual costs to manage the Property are \$79,458, including ongoing stewardship, fire abatement, and supervision of the preserve. These ongoing costs are included in the FY 2023-24 Operational Plan for the Department of Parks and Recreation.

#### **RECOMMENDATION(S)**

##### **CHIEF ADMINISTRATIVE OFFICER**

1. Find that the proposed acquisition of portions of APNs 247-040-05-00, 247-010-05-00, 247-031-02-00, and 247-062-01-00 are exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15301, 15311, 15313, 15316, and 15325 of the State CEQA Guidelines.
2. Authorize the Director, DGS, or designee to exercise the option to purchase portions of APNs 247-040-05-00, 247-010-05-00, 247-031-02-00, and 247-062-01-00 from Santa Ysabel Ranch, LLC for the appraised value of \$4,304,000.
3. Authorize the Director, DGS, or designee to execute all documents, including, escrow documents, necessary to complete the purchase of portions of APNs 247-040-05-00, 247-010-05-00, 247-031-02-00, and 247-062-01-00.

#### **EQUITY IMPACT STATEMENT**

The Department of Parks and Recreation Conservation Program's acquisition of properties with high-quality habitat is anticipated to result in positive public health impacts by improving water and air quality for all residents. The acquisition of the Property is within the Santa Ysabel and Julian community areas and will contribute acreage to multiple sustainability efforts, including expanding the draft North County Multiple Species Conservation Plan preserve area by approximately 540 acres and reducing greenhouse gas emissions by approximately 670 metric tons of carbon dioxide equivalent per year. Acquisition of conservation land reduces emissions that would have occurred if the land were developed and prevents the loss of critical habitat.

#### **SUSTAINABILITY IMPACT STATEMENT**

The proposed acquisition supports multiple County of San Diego (County) Sustainability Goals. Acquisition of the approximately 540-acre property supports County Sustainability Goal No. 3 and the County's Climate Action Plan by contributing to greenhouse gas reductions by approximately 670 metric tons of carbon dioxide equivalent per year through preservation of open space. The proposed acquisition site supports County Sustainability Goal No. 4 by expanding opportunities for community members to access outdoor recreation and nature and County Sustainability Goal No. 6 by expanding open space adjacent to native ecosystems and habitats.

#### **FISCAL IMPACT**

Funds for this request are included in the Fiscal Year (FY) 2023-24 Operational Plan of the Multiple Species Conservation Program (MSCP) Acquisition Fund. If approved on June 5, 2024, this request will result in total one-time project costs for the Property of \$4,845,900 in FY 2023-24 which includes \$4,304,000 for property acquisition; \$40,000 staff time and appraisal

reports to complete the transaction; \$4,900 for closing and title costs; and \$497,000 in one-time land improvement costs (including \$470,000 for comprehensively updating the existing Santa Ysabel County Preserve Resource Management Plan and initial species monitoring, and \$27,000 to conduct initial stewardship that features signage, access control, and vegetation management, land surveying, and other supplies and services and ongoing management). The funding source is available prior year General Fund fund balance (\$4,845,900).

Total annual ongoing costs for assessments, monitoring, and operations and management of the Property are estimated at \$79,458, itemized as follows: \$158 for fixed charge assessments for vector control, approximately \$15,000 for adaptive management and biological monitoring, \$64,300 for annual total operating costs for managing the site, including the addition of one (1) temporary Park Attendant position. Ongoing costs and funding sources are included in the FY 2023-24 Operational Plan of the Department of Parks and Recreation (DPR). The funding source is existing DPR General Purpose Revenue. There will be no change in net General Fund cost and no additional staff years.

#### **BUSINESS IMPACT STATEMENT**

N/A

#### **ACTION:**

ON MOTION of Supervisor Desmond, seconded by Supervisor Vargas, the Board of Supervisors closed the Hearing and took action as recommended, on Consent.

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

2. **SUBJECT: ADOPT A RESOLUTION APPROVING A LIST OF PROJECTS PROPOSED TO BE FUNDED BY SENATE BILL 1 FOR FISCAL YEAR 2024-25 AND RELATED CEQA EXEMPTION (DISTRICTS: ALL)**

#### **OVERVIEW**

The County of San Diego (County) Department of Public Works (DPW) maintains nearly 2,000 centerline miles of roads in the unincorporated areas of San Diego county. Centerline miles represent the total length of roads regardless of the number of lanes or overall roadway width. The County's average Pavement Condition Index (PCI), an industry standard rating system used to rate the condition of roads, dropped from 70 in 2012 to 60 in 2016. The change in PCI occurred because of reduced levels of road maintenance work due to rising construction costs and declining gas tax revenues as vehicles become more fuel efficient and less fuel is purchased.

On April 28, 2017, the Governor of California approved Senate Bill 1 (SB1) to address the statewide funding gap for road maintenance. On May 2, 2017 (11), the Board of Supervisors (Board) approved the use of SB1 funding to improve the condition of road surfaces across the County-maintained road network. As a result, the condition of County-maintained roads has improved significantly over the past seven years because of resurfacing projects and the current average PCI is 68. DPW estimates it will receive \$56 million in SB1 revenue in Fiscal Year (FY) 2023-24 and \$59.9 million in FY 2024-25 to continue expanding the road resurfacing program. To be eligible to receive SB1 revenue for FY 2024-25, the California Transportation Commission (CTC) requires submittal of a Resolution and project list by July 1, 2024.



DPW has developed a list of road resurfacing locations totaling 101.87 centerline miles. The list located in Attachment A, Exhibit A1, is the result of a data-driven approach to selecting and prioritizing road resurfacing projects. This includes data related to:

- The condition of the road, such as surface cracks and pavement distresses,
- Pavement condition information from the most recent network road survey where downward-facing cameras and laser technology were used to inspect the road surface,
- Factors related to road usage, including traffic volume and road classification, and
- Location of roads in underserved communities, and public utility conflicts

The prioritization process also considers input from community stakeholders and DPW field staff. The resulting road list is balanced proportionally to the total centerline miles within each Supervisorial district and is submitted to the CTC for adoption. DPW concurrently implements a detailed design process to confirm initial design assumptions and coordinate with stakeholders.

Following the design process, DPW will return to the Board for authorization to advertise and award the final construction list. The proposed projects will improve the overall condition of County-maintained roads and will protect roads from deterioration and costly future repairs.

This is a request to adopt a Resolution approving a list of projects proposed to be funded by SB1 for FY 2024-25. Upon Board approval, the Resolution and road list will be submitted to the CTC for delivery to the State Controller. Attachment A, Exhibit A1 contains the list of maintenance projects proposed for use of SB1 funding. DPW will begin design, cost estimation, and identify conflicts for the listed roadway segments to further refine the list of roads. The refined list is planned to be presented to the Board of Supervisors in winter 2025 with a request to approve the advertisement and award of multiple construction contracts to perform the resurfacing work.

#### **RECOMMENDATION(S)**

##### **CHIEF ADMINISTRATIVE OFFICER**

1. Find in accordance with Section 15301 of the California Environmental Quality Act (CEQA) Guidelines that the proposed project is categorically exempt from CEQA review because it involves the maintenance of existing public roads involving no or negligible expansion of existing use.
2. Adopt a Resolution entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS APPROVING A LIST OF PROJECTS PROPOSED TO BE FUNDED BY SB1 FOR FISCAL YEAR 2024-25.

#### **EQUITY IMPACT STATEMENT**

The Department of Public Works (DPW) uses best management practices when preserving the County-maintained road network that includes industry standard resurfacing methods that extend the life of the roads and prevent more costly resurfacing treatments in the future such as reconstruction. This includes the use of pavement management software that models and predicts the rate of deterioration of roads. To supplement this data, DPW staff performs routine inspections of roads in need of repair that are identified by the pavement management software or the community through a variety of sources such as the Tell Us Now! mobile app and toll-free hotlines.

This information is evaluated by DPW and used to develop a list of roads requiring maintenance that is balanced proportionally to the total centerline miles within each Supervisorial district. Approximately 41% of the roads on the maintenance list are located within underserved communities as defined in the most recent version of CalEnviroScreen (4.0) and Healthy Places Index (3.0) GIS layer. The projects will provide significant benefits to the residents, including enhancements to the Americans with Disabilities Act (ADA) pedestrian ramps and drainage improvements that will improve access and mobility for non-motorized road users. Road resurfacing to improve the condition of roads facilitates transit and allows cars and buses to travel to underserved communities to bring workers to job centers. County of San Diego construction contracts are also competitively and publicly advertised and bid and help stimulate the local economy.

#### **SUSTAINABILITY IMPACT STATEMENT**

Maintaining existing roads has benefits to sustainability in terms of the economy, environment, social health, and well-being. Maintaining roads in a timely manner prevents more costly maintenance treatments in the future, thereby supporting economic sustainability. Asphalt concrete rehabilitation activities use 25% recycled asphalt from old, deteriorated roads, saving thousands of tons of aggregate each year and supporting the County's sustainability goal to reduce pollution and waste through recycling. Well-maintained roads allow vehicle owners to use fewer resources for vehicle maintenance and operation providing social sustainability benefits. Drainage improvements proposed in this action, such as rehabilitating culverts, curbs, and gutters contribute to the County's sustainability goals to improve water quality and extend the useful life of facilities, by protecting County-maintained roads from costly and resource-intensive repairs. The installation of Americans with Disabilities Act (ADA) compliant pedestrian ramps proposed in this action supports walkability, mass transit access, and contributes to County sustainability goals to protect the health and well-being of everyone in the region, reduce greenhouse emissions, and transition to a green, carbon-free economy.

#### **FISCAL IMPACT**

There is no fiscal impact associated with today's recommendation to adopt a Resolution approving a list of projects proposed to be funded by SB1 for Fiscal Year (FY) 2024-25. Funds for these projects are included in the FY 2024-25 CAO Recommended Operational Plan Change Letter in the Department of Public Works (DPW), Road Fund Detailed Work Program. DPW is projecting to receive \$59.9 million in State SB1 gas tax revenue in FY 2024-25 which will be used to fund design and construction, including contingencies. There will be no change in net General Fund cost and no additional staff years.

#### **BUSINESS IMPACT STATEMENT**

Road resurfacing to improve the condition of the roads facilitates the transit of goods and eases the movement of commuters to jobs, schools, and shopping centers in underserved communities. County of San Diego construction contracts are also publicly advertised and competitively bid and help stimulate the local economy. All workers employed on public works projects must be paid prevailing wages determined by the California Department of Industrial Relations, according to the type of work and location of the project.

**ACTION:**

ON MOTION of Supervisor Desmond, seconded by Supervisor Vargas, the Board of Supervisors took action as recommended, on Consent, and adopted Resolution No. 24-053, entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS APPROVING A LIST OF PROJECTS PROPOSED TO BE FUNDED BY SB-1 FOR FISCAL YEAR 2024-25.

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

3. **SUBJECT: PUBLIC HEARING TO CONFIRM FISCAL YEAR 2024-25 LEVIES IN THE SAN DIEGO COUNTY STREET LIGHTING DISTRICT AND LANDSCAPE MAINTENANCE DISTRICT ZONES NO. 1 - RANCHO SAN DIEGO AND NO. 2 - JESS MARTIN PARK AND RELATED CEQA EXEMPTION (DISTRICTS: ALL)**

**OVERVIEW**

Special districts are created to provide new or enhanced local services and infrastructure to specific communities. The special districts in today's action were created to fund community parks and streetlights in the unincorporated areas of the region. Services are primarily funded by property owners and paid through assessments that are collected through the tax roll, reducing administrative costs from billing and payment collection. District boundaries, services, and maximum rates were established by voters or as a condition of development at the time of formation. The method for calculating how much each parcel pays is established in the ordinance adopted at the time of formation and may be based on a variety of factors, commonly including the type of land use, or parcel acreage. The rate cannot exceed the maximum amount in the adopted ordinance without voter approval from affected property owners. At the time of formation, residents in some districts voted to include cost escalators in their ordinances, which allow the maximum rate to increase each year to keep pace with inflation. The most commonly used cost escalator is the Consumer Price Index (CPI), which measures the cost of consumer goods.

Board of Supervisors Policy B-29: *Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery* directs departments to recover the full cost of services provided to the residents of special districts. County of San Diego (County) staff reviewed budgets for the three districts included in today's action to determine if revenues were adequate for services or if rates should be adjusted. Staff determined the proposed rates for Fiscal Year (FY) 2024-25 are needed to continue to fund services and to ensure compliance with Board Policy B-29. Some of these rates are proposed to increase while others are proposed to remain at the current rate. Rates are also necessary to maintain financial reserves to fund future services, facility repairs, emergency repairs, improvements, and replacements. The proposed rates are the subject of today's action and are in accordance with Articles XIII A-D of the California Constitution (Proposition 218) as amended to date and are within maximum rates set forth in each district's adopted ordinance. Therefore, these rates do not require voter approval from affected property owners. Under Proposition 218, voters must approve the formation of the special district and the maximum amount that can be collected from property owners.

**San Diego County Street Lighting District**

The San Diego County Street Lighting District is managed by the County Department of Public Works (DPW). The Street Lighting District funds the operations and maintenance of public streetlights across the unincorporated areas of San Diego County. The proposed annual assessment rate will remain at the current amount of \$2.00 per single-family residence. The current assessment is sufficient to continue to fund operation and maintenance of streetlights for the next fiscal year.

**Landscape Maintenance District Zone No. 1 - Rancho San Diego**

Landscape Maintenance District Zone (LMDZ) No. 1 - Rancho San Diego - is managed by the County Department of Parks and Recreation (DPR) to fund ongoing park operation, maintenance, and improvements within the unincorporated community of Rancho San Diego in District 4. The proposed annual assessment rate will increase by 3% from \$38.58 to \$39.74 per single-family residence. Although the Consumer Price Index rose 3.80% due to inflation in 2023, the voter-approved maximum annual rate increase is set at 3%. The additional revenue will support ongoing services. Without the additional revenue, services would be reduced, resulting in deferred maintenance and more costly future repairs. The proposed rate is within the maximum in the ordinance and does not require voter approval from affected property owners for this action.

**Landscape Maintenance District Zone No. 2 - Jess Martin Park**

LMDZ No. 2 - Jess Martin Park - is managed by DPR to fund ongoing maintenance of amenities and construction of minor capital improvements at Jess Martin Park in the unincorporated community of Julian in District 2. The proposed annual assessment rate will remain at the current amount of \$47.82 per single-family residence. The voters did not approve an annual cost escalator at the time of the district's formation; however, the Board did approve an allocation of County General Purpose Revenue (GPR) to offset the benefit from park visitors who do not reside in the district. Since there is no proposed rate increase a vote from affected property owners is not required for this action. The proposed rate is sufficient to fund services for FY 2024-25.

This is a request to adopt resolutions to confirm assessments and authorize levies for three special districts administered by DPW and DPR. Upon adoption, the assessments will be placed on the tax roll for FY 2024-25. The deadline to place these assessments on the FY 2024-25 tax rolls is August 10, 2024. These actions are discretionary after consideration of public testimony.

**RECOMMENDATION(S)****CHIEF ADMINISTRATIVE OFFICER**

1. Find that the proposed project is categorically exempt from the California Environmental Quality Act (CEQA) as specified under Section 15301(b) of the State CEQA Guidelines because the activity in question addresses funding mechanisms for maintenance of existing streetlight and landscape facilities and services involving negligible or no expansion of existing or former use.
2. Accept and approve the Engineer's Reports for the San Diego County Street Lighting District and Landscape Maintenance District Zones No. 1 - Rancho San Diego and No. 2 - Jess Martin Park.

3. Adopt a Resolution entitled: RESOLUTION OF INTENTION TO ORDER IMPROVEMENTS FOR THE SAN DIEGO COUNTY STREET LIGHTING DISTRICT and set a hearing for June 26, 2024. (Attachment D)
4. Adopt a Resolution entitled: RESOLUTION OF INTENTION TO ORDER OPERATION, MAINTENANCE AND IMPROVEMENTS FOR LANDSCAPE MAINTENANCE DISTRICT ZONE NO. 1, and set a hearing for June 26, 2024. (Attachment E)
5. Adopt a Resolution entitled: RESOLUTION OF INTENTION TO ORDER OPERATION, MAINTENANCE AND IMPROVEMENTS FOR LANDSCAPE MAINTENANCE DISTRICT ZONE NO. 2, and set a hearing for June 26, 2024. (Attachment F)

**If, on June 5, 2024, the Board takes the actions recommended in Items 1-5, then on June 26, 2024, a public hearing will be conducted, and the following recommendations will be considered:**

6. Adopt a resolution entitled: RESOLUTION CONFIRMING DIAGRAM AND ASSESSMENTS IN THE SAN DIEGO COUNTY STREET LIGHTING DISTRICT. (Attachment G)
7. Adopt a resolution entitled: RESOLUTION CONFIRMING DIAGRAM AND ASSESSMENTS IN LANDSCAPE MAINTENANCE DISTRICT ZONE NO. 1. (Attachment H)
8. Adopt a resolution entitled: RESOLUTION CONFIRMING DIAGRAM AND ASSESSMENTS IN LANDSCAPE MAINTENANCE DISTRICT ZONE NO. 2. (Attachment I)

#### **EQUITY IMPACT STATEMENT**

Today's action continues the County's commitment to provide programs and services that enhance our communities. Assessments and special taxes fund services for special districts which improve the health, safety, and economic interests of local communities. Levying charges on the Fiscal Year (FY) 2024-25 tax rolls for the County of San Diego and San Diego County Street Lighting District will have a direct impact on communities throughout the unincorporated areas of the county. These levies fund street lighting and community park services to residents of approximately 110,000 parcels. Special district revenues also offset the need for the County to fund these services, which allow additional County funds to be allocated toward services in underserved communities.

#### **SUSTAINABILITY IMPACT STATEMENT**

Today's action supports the County's Sustainability Goals to protect the health and wellbeing of residents, provide just and equitable access to County services, and make investments in energy efficiency by continuing to fund the operation, maintenance, and improvements of streetlights and parks. Streetlights enhance the health and safety of all residents and visitors who use County roads. Regular streetlight maintenance protects the health and wellbeing of everyone in the region and supports economic sustainability by preventing more costly maintenance treatments in the future. The Street Lighting District also supports the County's goal to invest in energy

efficiency and reduce greenhouse gas emissions through the conversion of streetlight assets to LED fixtures. Specific LED fixtures are installed within dark sky designated communities to reduce light pollution and maintain compliance with the County's Dark Sky Ordinance. The nine County parks included in this action provide access to outdoor recreation and nature. Funding the operation and maintenance of these parks aligns with the County's sustainability goals to promote the health and wellbeing of citizens and allow equitable access to County facilities.

### **FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2024-25 Operational Plan in the Departments of Public Works and Department of Parks and Recreation. There is no proposed change in the assessment for the San Diego County Street Lighting District and Landscape Maintenance District Zone No. 2 - Jess Martin Park. A rate increase is proposed for Landscape Maintenance District Zone No. 1 - Rancho San Diego. If approved, this request will result in costs and revenue of approximately \$295,104 for the Street Lighting District, \$185,347 for LMDZ No. 1 - Rancho San Diego, and \$99,843 for LMDZ No. 2 Jess Martin Park. The funding source for this request comes from property owner paid assessments and a portion of annual countywide property tax revenues that was allocated by formula to special districts as a result of Proposition 13 (1978) and subsequent legislation, including Assembly Bill 8 (1979). There will be no change in net General Fund cost and no additional staff years.

The proposed assessment levies are evaluated annually in an amount sufficient to recover the full cost as required by Board Policy B-29: *Fees, Grants, Revenue Contracts-Department Responsibility for Cost Recovery*. Accordingly, there is no projected unrecovered cost, and a waiver of Board Policy B-29 is not needed. The funding source is assessment levies on property owners within the identified districts.

If the Board of Supervisors does not adopt the resolutions, the proposed assessments cannot be placed on the tax rolls for FY 2024-25. Without the funds generated by the assessments, services for street lighting and landscape maintenance would be greatly reduced unless other funding sources are identified.

### **BUSINESS IMPACT STATEMENT**

N/A

### **ACTION:**

ON MOTION of Supervisor Desmond, seconded by Supervisor Vargas, the Board of Supervisors took action as recommended, on Consent, and;

1. Adopted Resolution No. 24-054, entitled: RESOLUTION OF INTENTION TO ORDER IMPROVEMENTS FOR THE SAN DIEGO COUNTY STREET LIGHTING DISTRICT;
2. Adopted Resolution No. 24-055, entitled: RESOLUTION OF INTENTION TO ORDER OPERATION, MAINTENANCE AND IMPROVEMENTS FOR LANDSCAPE MAINTENANCE DISTRICT ZONE NO. 1;

3. Adopted Resolution No. 24-056, entitled: RESOLUTION OF INTENTION TO ORDER OPERATION, MAINTENANCE AND IMPROVEMENTS FOR LANDSCAPE MAINTENANCE DISTRICT ZONE NO. 2; and,
4. Set a Hearing for June 26, 2024.

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

4. **SUBJECT: GENERAL SERVICES - ADOPT A RESOLUTION TO SUMMARILY VACATE AN OFFER OF DEDICATION FOR FUTURE PUBLIC STREET IN THE VALLEY CENTER COMMUNITY PLAN AREA AND CEQA EXEMPTION (VAC 2023-0213) (DISTRICT: 5)**

#### **OVERVIEW**

The Department of General Services is processing a request to summarily vacate an unaccepted Offer of Dedication for Future Public Street (OD) dedicated to the County of San Diego (County). A summary vacation is a streamlined process by which an offer of land for a future public road or public service easement is abandoned through one action. These may be requested by the public if the easement interests are found to be excess to County needs and are not required for the purposes for which they were obtained.

The applicant has requested that the County vacate the unaccepted OD lying within a portion of their property as well as a portion of their neighbor's property. The property subject to the vacation is located within the unincorporated Valley Center Community Plan Area. The County Department of Public Works (DPW) has determined this area offered for future dedication is no longer needed for present or future public use because there is no foreseeable public improvement project or private development that would be conditioned to construct within this easement, and this request does not involve a General Plan Mobility Element (ME) roadway. Today's request is for the Board of Supervisors to adopt a Resolution to summarily vacate the OD described herein that is excess right-of-way not required for street or highway purposes.

#### **RECOMMENDATION(S)**

##### **CHIEF ADMINISTRATIVE OFFICER**

1. Find the proposed vacation is not subject to review under the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines sections 15060(c)(2) and 15060(c)(3) because the action would result in the summary vacation of an offer of dedication for a public right-of-way easement that is not needed for public road purposes and will not have a reasonably foreseeable direct or indirect effect on the environment, and for the same reason is also not a project subject to CEQA as defined in section 15378.
2. Adopt a Resolution entitled: RESOLUTION TO SUMMARILY VACATE AN OFFER OF DEDICATION FOR FUTURE PUBLIC STREET IN THE VALLEY CENTER COMMUNITY PLAN AREA (VAC 2023-0213) (Attachment C, on file with the Clerk of the Board).

3. Direct the Clerk of the Board to record the Resolution for Vacation No. 2023-0213 pursuant to State of California Streets and Highways Code Section 8336.

#### **EQUITY IMPACT STATEMENT**

This resolution will provide a public benefit through improved use of the lands made available by the vacation. The proposed summary vacation is in the public interest because there is a public convenience associated with the removal of encumbrances from private lands that are no longer needed for public road purposes. The existing surrounding road system will continue to provide access for all properties located near the proposed Offer of Dedication (OD) vacation and the summary vacation would not preclude future development.

#### **SUSTAINABILITY IMPACT STATEMENT**

The proposed action to summarily vacate the Offer of Dedication (OD) contributes to the County of San Diego Sustainability Goal No. 1 to engage the community to partner and participate in decisions that impact their lives and communities and Goal No. 2 to provide just and equitable access to property owners by providing them with improved use of their properties by unencumbering portions of their properties for potential future development.

#### **FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2023-24 Operational Plan in the Department of General Services. If approved, this request will result in estimated costs and revenue of \$5,500 to process the proposed vacation. The funding source is a deposit from the applicant(s). There will be no change in net General Fund cost and no additional staff years.

#### **BUSINESS IMPACT STATEMENT**

N/A

#### **ACTION:**

ON MOTION of Supervisor Desmond, seconded by Supervisor Vargas, the Board of Supervisors took action as recommended, on Consent, and adopted Resolution No. 24-057, entitled: RESOLUTION TO SUMMARILY VACATE AN OFFER OF DEDICATION FOR FUTURE PUBLIC STREET IN THE VALLEY CENTER COMMUNITY PLAN AREA (VAC-2023-0213).

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

5. **SUBJECT: AUTHORIZE AN AGREEMENT WITH THE YMCA OF SAN DIEGO COUNTY FOR THE U.S. ENVIRONMENTAL PROTECTION AGENCY ENVIRONMENTAL AND CLIMATE JUSTICE COMMUNITY CHANGE GRANT IN SUPPORT OF THE GATEWAY TO THE CALIFORNIAS AND RELATED CEQA EXEMPTION (DISTRICT: 1)**

#### **OVERVIEW**

The U.S. Environmental Protection Agency's (EPA) Environmental and Climate Justice Community Change Grants (Community Change Grant) program announced funding opportunities for approximately \$2 billion dollars in Inflation Reduction Act funds on November



21, 2023. This is a competitive grant program to support environmental and climate justice activities that benefit underserved communities through community-driven projects that reduce pollution, increase climate resilience, and bolster the communities' capacity to address environmental and climate justice challenges. Grant applications must address at least one climate action strategy and at least one pollution reduction strategy that benefits underserved communities. The EPA also requires that applicants have a partnership in place in order to submit an application. The partnerships must have one of these compositions: two Community Based Organizations (CBOs), or a CBO partnered with a federally recognized tribe or local government or institution of higher learning. In order to apply for this grant, the County of San Diego (County) Department of Parks and Recreation (DPR) wishes to enter into a partnership as the lead applicant with the community-based YMCA of San Diego County for the Community Change Grant. The YMCA is committed to collaborating with the County to apply for the grant to implement climate action and pollution reduction strategies in the Tijuana River Valley Regional Park (TRVRP) that will include green infrastructure and nature-based solutions to provide recreational opportunities and habitat enhancements to the region.

If the authority to partner with the YMCA is approved, DPR plans on submitting the application in request of up to \$20 million. This funding would support about \$14 million in work related to removing accumulated trash, sediment, and debris from specific areas within the County-owned TRVRP and replacing those areas with native habitat to restore the hydrological function of the Tijuana River in this area. The funding would also provide about \$6 million in support of the creation of a new resilience hub with YMCA Camp S.U.R.F. located in Imperial Beach. This would include a community convening space that provides educational activities and related emergency and disaster preparedness resources (leveraging the use of the resilience hub and our County park for staging resources for residents affected by flooding, fire or emergency situations) to the community year-round with trail connectivity and wayfinding signage. The way-finding signage would assist residents navigating the trails and paths that lead to and connect the YMCA resilience hub and the County park. These resources managed by the YMCA would be a "place-based" hub to provide environmental education opportunities for local schools, after school programs, and other resiliency programs and would have trail connectivity through Imperial Beach into the TRVRP and wayfinding signage. This would also fund efforts to evaluate pollution reduction strategies such as clean water infrastructure to reduce pollution exposure such as trash and sediment capture as well as disposal of solid and hazardous waste.

Additionally, the grant will support the Gateway to the Californias initiative as part of the continuity with the YMCA partnership. Located near the United States/Mexico border, adjacent to the Otay Mesa-Nestor communities in the City of San Diego and the City of Imperial Beach, the TRVRP is County-owned land that is considered the gateway to the state of California. This region has the possibility of becoming a binational landmark that can offer more recreational and educational opportunities to residents of all ages, interests, and abilities with a special focus on youth and adult sports. In addition, the region can serve as a unique tourist attraction, resiliency hub, and small business opportunity, bridging the bi-national community of South County, increasing accessibility to various regional amenities, and fostering the spirit of collaboration and unity.

On June 24, 2020 (12) the Board of Supervisors adopted a resolution authorizing the Land Use and Environment Group (LUEG) Deputy Chief Administrative Officer or designee, and all LUEG department Directors (including DPR), or their designees, to submit, negotiate, and execute all documents necessary to secure and apply for non-profit, local, state, and federal grant funds for their respective projects until June 30, 2025. This applies to submission of grant applications and acceptance of grant funds for implementation of projects and programmatic activities in support of the County's vision and strategic initiatives. To apply for this grant, the EPA requires a legally binding partnership agreement. Today's request is to authorize the Director of DPR, or designee, to negotiate and enter into a partnership agreement as the lead applicant with YMCA of San Diego County for the EPA's Environmental and Climate Justice Community Change Grant and any related agreements required by EPA grant guidelines. This will allow staff to move forward with the grant application. If grant funds are awarded, DPR will return to the Board at a later date to appropriate any grant funds received, as they become available.

**RECOMMENDATION(S)**  
**CHIEF ADMINISTRATIVE OFFICER**

1. Find that the proposed actions are not subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15060(c)(3) and 15378(b)(5).
2. Authorize the Director, Department of Parks and Recreation, or designee, to negotiate and enter into a partnership agreement, and any related grant application requirements, with YMCA of San Diego County for the EPA Environmental and Climate Justice Community Change Grant.

**EQUITY IMPACT STATEMENT**

A partnership with YMCA of San Diego and the County as the lead applicant for the U.S. Environmental Protection Agency Environmental Justice and Community Change Grant is anticipated to result in a positive impact on all residents and visitors by providing opportunities to implement climate action and pollution reduction strategies in the TRVRP. The proposed efforts will serve communities that have been historically underserved, creating accessible green space for all.

**SUSTAINABILITY IMPACT STATEMENT**

The proposed action supports two County of San Diego Sustainability Goals including County Sustainability Goal No. 4 by expanding opportunities for community members to access outdoor recreation and green spaces, and Sustainability Goal No. 6 by protecting native ecosystems and habitats, while enhancing the natural environment for residents, visitors, and future generations to enjoy. This action will contribute to the health and well-being of South County including Otay Mesa, Nestor, and San Ysidro, underserved communities that have limited access to recreational activities and green amenities.

**FISCAL IMPACT**

There is no current-year fiscal impact associated with today's recommendation to authorize the Director of DPR, or designee, to negotiate and enter into a partnership agreement with YMCA of San Diego County. There may be fiscal impact associated with future related recommendations. If a grant is awarded, staff would return to the Board for consideration and appropriations, as needed. At this time, there is no change in net General Fund cost and no additional staff years.

## **BUSINESS IMPACT STATEMENT**

N/A

### **ACTION:**

Noting for the record that an Errata was submitted that made changes to the Subject Line, Overview, and Recommendation #2; ON MOTION of Supervisor Desmond, seconded by Supervisor Vargas, the Board of Supervisors took action as recommended, on Consent.

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

6. **SUBJECT: AUTHORIZE SINGLE SOURCE PROCUREMENT WITH THE SAN DIEGO TIJUANA WORLD DESIGN CAPITAL 2024 FOR “GATEWAY TO THE CALIFORNIAS” TIJUANA RIVER VALLEY REGIONAL PARK ACTIVE RECREATION AND COMMUNITY PARK DESIGN SERVICES AND RELATED CEQA EXEMPTION (DISTRICT: 1)**

### **OVERVIEW**

This is a request to authorize the Director, Department of Purchasing and Contracting, to enter into negotiations with San Diego Tijuana World Design Capital 2024 (WDC) for a single source contract to procure planning and design services and award a contract for a term of one year, with three one-year option periods and up to an additional six months if needed. WDC is collaborating with the County of San Diego (County) to advance the planning of the “Gateway to the Californias” concept for the Tijuana River Valley Regional Park (TRVRP), the future Active Recreation and Community Park to be located within the TRVRP. WDC is uniquely suited to work on this project because of its expansive and impactful cross-border network and collaborations in the San Diego - Tijuana region, strategic partnerships with cross-sectoral organizations, and its experience with humanity-centered design, and has leading experts in design-thinking, community-driven design methods, creative development finance, urban/environmental planning, and urban design.

Led by the Department of Parks and Recreation, WDC will masterplan the development and operation of the “Gateway to Californias” Active Recreation and Community Park concepts for the TRVRP. Located near the United States/Mexico border, adjacent to the Otay Mesa-Nestor communities in City of San Diego and the City of Imperial Beach, the TRVRP is the gateway to the State of California. The site, located on the County-owned land, has an opportunity to become a binational landmark and bring more recreational and educational opportunities to residents of all ages, interests, and abilities with special focus on youth and adult sports. In addition, the site creates a unique tourist attraction, resiliency hub and small business opportunity, bridging the bi-national community of South County, increasing accessibility to various regional amenities, and fostering the spirit of collaboration and unity.

Today’s request is to authorize procurement for a single source contract with the WDC for the Gateway to Californias Active Recreation and Community Park branding, marketing, public relations, communication, financial strategic planning and master planning services.

**RECOMMENDATION(S)**  
**CHAIRWOMAN NORA VARGAS**

1. Find that the proposed actions are not subject to the California Environmental Quality Act (CEQA) because negotiating and awarding a contract to procure an agreement is administrative in nature and is not a project as defined in CEQA Guidelines Section 15378(b)(5).
2. In accordance with Board Policy A-87, Competitive Procurement, approve and authorize the Director, Department of Purchasing and Contracting to enter into negotiations with San Diego Tijuana World Design Capital 2024 and, subject to successful negotiations and a determination of a fair and reasonable price, award a contract to provide a master plan, concept design to include trail connectivity and design of the Gateway to the California's art arches and wayfinding program, branding & marketing to include public relations and community engagement to build a network of stakeholders and project advocates and business interest in the community park project; and development of a financial strategic plan to implement and operate the active recreation and community park, public engagement plan to scope park amenities for a term of one year with three one-year option periods and up to an additional six months if needed subject to the availability of funds and a need for services.

**EQUITY IMPACT STATEMENT**

The proposed action to authorize procurement for a single-source contract with San Diego Tijuana World Design Capital 2024 for planning and design services for the "Gateway to the Californias" concept for the Tijuana River Valley Regional Park (TRVRP), the future Active Recreation and Community Park, is anticipated to result in a positive impact on all residents and visitors by providing opportunities to engage in passive and active recreation activities and experiences in the County of San Diego's Park and preserved lands. The proposed efforts will serve communities that have been historically neglected, creating accessible green space for all.

**SUSTAINABILITY IMPACT STATEMENT**

The proposed action supports two County of San Diego Sustainability Goals including County Sustainability Goal No. 4 by expanding opportunities for community members to access outdoor recreation and green spaces and Sustainability Goal No. 6 by protecting native ecosystems and habitats, while enhancing the natural environment for residents, visitors, and future generations to enjoy. This action will contribute to the health and well-being of South County including Otay Mesa, Nestor, and San Ysidro, underserved communities, that have limited access to recreational activities and green amenities.

**FISCAL IMPACT**

Funds for this request are included in the Fiscal Year (FY) 2024-25 CAO Recommended Operational Plan Change Letter in the Capital Outlay Fund for Capital Project 1025569 Tijuana River Valley Active Recreation. If approved, this request will result in costs and revenue of \$500,000 in FY 2024-25. The funding source is General Fund fund balance.

There may be fiscal impacts associated with future related recommendations which staff would return to the Board for consideration and approval. Future costs to develop construction plans, conduct environmental review, build and operate new amenities within the Tijuana River Valley Regional Park will be determined during the initial design phase in the proposed investment package, which will anticipate public/private partnership. Future lease revenues will be determined when a potential lease is awarded and is unknown at this time. There will be no change in net General Fund cost and no additional staff years.

#### **BUSINESS IMPACT STATEMENT**

N/A

#### **ACTION:**

ON MOTION of Supervisor Desmond, seconded by Supervisor Vargas, the Board of Supervisors took action as recommended, on Consent.

AYES: Vargas, Anderson, Montgomery Steppe, Desmond

ABSTAINED: Lawson-Remer

7. **SUBJECT: NOTICED PUBLIC HEARING:  
GREENHILLS RANCH PHASE II SPECIFIC PLAN AMENDMENT,  
ZONE RECLASSIFICATION, TENTATIVE MAP, AND MITIGATED  
NEGATIVE DECLARATION (DISTRICT: 2)**

#### **OVERVIEW**

The Greenhills Ranch Specific Plan Phase II project (Project) is a 63-lot single-family residential development in the Lakeside Community Plan area. The Project will implement the second phase of the adopted Greenhills Ranch Specific Plan (GRSP), which has identified the site for residential development at a density of 1.6 units per acre, open space, and trails. The Project site is approximately 36 acres, of which 17 acres will be used to develop the 63 market-rate single-family dwelling units, private roads, and a trail on the northeast corner of the site that will connect to the existing County trail network. The Project also proposes to dedicate approximately 9 acres of the site as biological open space, and the remaining 10 acres will be used for slopes, detention basins, and limited building zones. The site is currently developed with two single-family dwellings which will be removed. The site is located north of Interstate 8 (I-8) and is located approximately 300 feet north of Adlai Road and Audubon Road in the Lakeside Community Planning Area. The first phase of the GRSP is located to the north, residential uses to the south, and open space to the west. A Helix Municipal Water District water treatment plant, Lake Jennings, and a mobile home park are to the east. The Project is within an Infill Area per the County's Transportation Study Guide (TSG) for Vehicle Miles Traveled (VMT). Though the Project is located within a High Fire Hazard Severity Zone, the Wildfire Evacuation Plan and Fire Protection Plan (FPP) was prepared for the project and approved by both PDS and Lakeside Fire Protection District.

Today's requested actions are for the Board of Supervisors (Board) to consider amending the GRSP and approving the associated implementing actions, such as a Zone Reclassification, Tentative Map, and environmental document. The Specific Plan Amendment (SPA) includes development standards and regulations for the Project.

In addition, a Zone Reclassification is needed to add a "D" Special Area Designator for Design Review, change the minimum lot size from 6,000 square feet to 5,100 square feet, and to replace the existing "H" setback designator with the "V" setback designator. The "D" Special Area Designator and "V" setback designator will require Site Plan approval prior to recording the Final Map for the Project. The Site Plan will ensure the design of the Project is consistent with the GRSP, which includes criteria related to architectural design and style, landscaping, single vs two stories, accessory structures, lot coverage, setbacks, lighting, fencing, and gates. Finally, a Tentative Map is required for the proposed single-family residential subdivision.

The Board can: (1) approve the Project, (2) approve the Project with modifications, (3) deny the Project, or (4) send the Project back to staff for additional analysis and/or reconsideration including any additional direction from the Board. If the Board chooses to deny the Project, the Board should direct staff to prepare written findings to deny the Project and return to the Board for consideration.

#### **RECOMMENDATION(S) PLANNING COMMISSION**

On February 29, 2024, the Planning Commission considered the Greenhills Ranch Specific Plan Phase II project and made the following recommendations to the Board of Supervisors:

1. Adopt the Environmental Findings, which includes a Mitigated Negative Declaration (MND) pursuant to California Environmental Quality Act guidelines (Attachment B, on file with the Clerk of the Board).
2. Adopt the Resolution entitled: A RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS ADOPTING SPECIFIC PLAN AMENDMENT (SPA) PDS2016-SPA-16-001, as amended by the Planning Commission, for the reasons stated therein and discussed in this report (Attachment C, on file with the Clerk of the Board).
3. Adopt the attached Form of Ordinance: an ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY WITHIN THE LAKESIDE COMMUNITY PLAN AREA, REF: PDS2016-REZ-16-002 (Attachment D, on file with the Clerk of the Board).
4. Adopt the Resolution, as amended by the Planning Commission, entitled RESOLUTION OF THE SAN DIEGO COUNTY CONDITIONALLY APPROVING TENTATIVE MAP NO. PDS2016-TM-5611. This Resolution makes the required findings and imposes the requirements and conditions of approval necessary to ensure that the Project is implemented in a manner consistent with State law and County of San Diego regulations (Attachment E, on file with the Clerk of the Board).

#### **DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES**

Planning & Development Services (PDS) concurs with the recommendations made by the Planning Commission, and makes the following additional recommendations to the Board of Supervisors (Board):

1. Require the applicant to enter into a standard Defense and Indemnification Agreement with the County of San Diego (County) in accordance with County Code Section 86.201 et seq. and authorize the Director of PDS to execute the Agreement. If litigation is filed challenging the Board's action on this project, require Atlas Investments, LLC to provide security in the amount of \$1,250,000, either as an irrevocable letter of credit or bond (whichever is acceptable to County Counsel), within 10 days of litigation being filed (Attachment F, on file with the Clerk of the Board).
2. Direct PDS to revise the Amendment to the Specific Plan which incorporates development regulations, to include a six-foot-high fence constructed with non-transparent material (i.e., wood, vinyl, etc.) in the rear yard of Lots 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15 to the satisfaction of PDS and the Lakeside Fire Protection District.

#### **EQUITY IMPACT STATEMENT**

This amendment is aligned with the goal to provide housing opportunities that meet the needs of the community. The approval of the Project would provide 63 new housing units in the Lakeside community. The Project includes a range of lots that will allow for market rate homes that range in size. The Project would create new market rate housing units in a VMT Infill Area, which promotes denser village areas and creates a greater diversity of land uses that would encourage transit and lower regional VMT over time.

#### **SUSTAINABILITY IMPACT STATEMENT**

This action will also promote the development of 63 new housing units in a VMT Infill Area, which are areas that meet household and intersection density and job accessibility standards that are associated with urban development within the unincorporated county. Infill development promotes denser villages and creates a greater diversity of land uses that will encourage transit and lower regional VMT and greenhouse gas emissions, in alignment with the goal to transition to a green, carbon-free economy.

#### **FISCAL IMPACT**

There is no fiscal impact associated with this request. today's recommendations. There will be no change in net General Fund cost and no additional staff years.

#### **BUSINESS IMPACT STATEMENT**

N/A

#### **ACTION:**

ON MOTION of Supervisor Anderson, seconded by Supervisor Desmond, the Board of Supervisors closed the Hearing, approved the recommendations, and took action to adopt the following:

1. Resolution No. 24-058, entitled: RESOLUTION OF THE SAN DIEGO COUNTY) BOARD OF SUPERVISORS APPROVING) SPECIFIC PLAN AMENDMENT SPA-16-001) (Greenhills Ranch Specific Plan);
2. Resolution No. 24-059, entitled: RESOLUTION OF SAN DIEGO COUNTY) CONDITIONALLY APPROVING) TENTATIVE MAP NO. PDS2016-TM-5611); and,

3. Ordinance No. 10912(N.S.), entitled: AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY WITHIN THE LAKESIDE COMMUNITY PLAN AREA, REF: PDS2016-REZ-16-002.

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

8. **SUBJECT: UPDATE ON DEVELOPING A COUNTY OF SAN DIEGO VEHICLE MILES TRAVELED (VMT) MITIGATION PROGRAM AND ASSOCIATED EXEMPTION TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (DISTRICTS: ALL)**

### **OVERVIEW**

In recent years, California has enacted significant changes in land development regulations to address environmental concerns, particularly related to reducing greenhouse gas emissions from the use of cars. These changes rely on technical tools like the California Environmental Quality Act (CEQA) to encourage development in more urbanized areas closer to jobs, transit and services while creating regulatory and financial barriers for development outside these areas. Under the umbrella of CEQA, the State of California passed Senate Bill 743 in 2013. This changed how jurisdictions, including the County of San Diego (County), a new way to analyze transportation impacts from proposed development projects was introduced. This new approach looks at the number of trips a car would make to and from a proposed development project and the distance it would travel. This approach is known as Vehicle Miles Traveled (VMT). Using this approach, proposed development projects located further away from urbanized areas, jobs, transit, and services are likely to have higher VMT impacts, meaning they would add more car trips at longer travel distances than the average VMT to and from other places in the region. These projects would produce more of the greenhouse gases that cause climate change and they are disincentivized under new State regulations. The County adopted requirements and guidance to implement these State regulations in our Transportation Study Guide (TSG) adopted by the Board of Supervisors (Board) in 2022.

A project can reduce, or “mitigate”, the VMT impacts it creates by incorporating features like pedestrian-friendly infrastructure, bike amenities, and access to public transit. This is challenging and expensive in the unincorporated area given that much of it is suburban or rural in nature and community members do not have access to viable alternatives to cars, like transit or services within walking distance. For example, the cost of extending transit or sidewalks to a more rural location would not be financially feasible or even practical in many cases. Developers can also pay toward the incorporation of these types of infrastructure in other locations within the region to offset or mitigate VMT impacts.

As part of the County’s implementation of VMT policies under CEQA, the Board directed staff to explore various VMT mitigation programs and strategies that would work in the unincorporated area to allow some development projects, particularly housing, to be feasible in areas where development is constrained by VMT regulations. Today’s item is to provide an update and information on potential County VMT mitigation program options and variables to consider, such as increasing land use densities in certain communities. These higher densities mean homes and businesses are closer together and allows for the possibility of more home units on a property and increasing opportunities for transit and walkable/ bikeable communities).



It is important to note that VMT mitigation is only required for projects that do not meet the screening criteria found within the Transportation Study Guide (TSG). Projects that meet any one of the eight screening criteria identified in the TSG are determined to have a less than significant impact related to transportation under CEQA and are not required to mitigate or participate in a potential VMT mitigation program. Screening criteria that exempt a project from needing to study or mitigate for VMT impacts include but are not limited to: projects in higher density locations, specifically VMT Efficient or Infill Areas (identified geographically in the TSG), small projects (eleven housing units or less), and 100% affordable housing developments (which typically generate fewer car trips).

A County VMT mitigation program would assist projects in areas where VMT mitigation is too costly or not available for a single development, which is the case for most of the unincorporated area. Depending on the type of program, it could benefit projects by streamlining the environmental review process and strategically incentivizing development, and by further reducing VMT in specific areas where the County is working to facilitate housing and related development (VMT Efficient and Infill Areas, or other areas such as “Transit Opportunity Areas” discussed below).

However, there are several challenges to developing a VMT mitigation program, and there are very few successful examples in the state to follow, particularly in jurisdictions with areas like the unincorporated area. What may work well in one city or region may not transfer successfully to another. In addition, it is challenging to determine how much a mitigation program can reduce VMT, depending on where and when it is applied. In places like unincorporated San Diego County, where people drive longer distances and rely more on cars due to the rural setting and the lack of transit, cutting down on VMT is challenging. County staff estimate that even if developers could collectively contribute to all the planned bike lanes, sidewalks, and trails in the unincorporated area to mitigate for their project VMT impacts, a countywide program in San Diego would only provide about four percent of the mitigation needed for planned growth. So, while a County program could help, creating a VMT mitigation program would be costly to develop, could add expensive mitigation costs to future projects, and may only provide streamlining benefits to a limited area with limited housing opportunities.

For these reasons, staff is assessing a large-scale regional program and a more strategic concentrated program for VMT mitigation. The regional program would establish potential partnerships with other jurisdictions and transit agencies. This will allow a project’s mitigation to occur in an urban environment where a greater VMT reduction could be achieved. The more strategic program focuses on areas in the unincorporated area that are within “Transit Opportunity Areas” (TOAs), which are areas planned and anticipated to have future high quality transit services and facilities. These TOAs may have potential for increased housing densities that could increase support for transit services to achieve reasonable VMT reductions in these specific areas only, as compared to trying to mitigate for the entire unincorporated County.

Today’s request is for the Board to receive an update and information on the County’s VMT mitigation program development and variables to consider, such as the potential for increasing housing densities in certain communities, an aspect that staff are evaluating as part of the TOA mitigation program option. Staff will return to the Board in the fall with the results of this

analysis looking at land use densities within defined TOAs, as well as the associated costs and VMT reductions for all the program options. At this time, the Board can direct staff to continue evaluating the following County VMT mitigation program options:

1. An Unincorporated Area Mitigation Program
2. A Regional and/or Partnership Mitigation Program
3. A Focused TOA Mitigation Program (No Land Use Changes)
4. A Focused TOA Mitigation Program (Including Potential Changes to Land Use Densities)

Once a VMT mitigation program approach is selected in the fall, the program will likely require the preparation of an Environmental Impact Report (EIR) and “Nexus Study” before adoption. Using a County VMT mitigation program would be voluntary for project applicants and available only to help streamline the environmental review process. Opting into the County’s program would provide a project with the benefit of not having to prepare an in-depth VMT analysis with identified mitigation specific to that project. Projects could instead rely on the County’s program. However, if the Board were to approve a partial mitigation option or a program that does not fully mitigate VMT impacts, a CEQA Statement of Overriding Considerations will need to be considered as part of the EIR.

A County VMT mitigation program can help shape where development is focused within the unincorporated area, such as near jobs, transit and services to reduce travel and GHG emissions and concentrate infrastructure investment where it will have the greatest benefit. The development of a VMT mitigation program will be integrated and closely aligned with other County efforts, such as the County Climate Action Plan (CAP) update, the Development Feasibility Analysis (DFA), Sustainable Land Use Framework (Framework), and draft Inclusionary Housing Ordinance. Although these efforts have unique purposes and objectives, they all help support strategies to achieve state and regional housing and sustainability goals through local policies.

#### **RECOMMENDATION(S)**

##### **CHIEF ADMINISTRATIVE OFFICER**

1. Find in accordance with Section 15061(b)(3) and 15378(b)(5) of the California Environmental Quality Act (CEQA) Guidelines that this action is exempt because it has no potential to result in either a direct physical change to the environment or a reasonably foreseeable indirect physical change to the environment.
2. Receive the update and information on potential VMT mitigation program options, including proceeding with the analysis of land use densities in Transit Opportunity Areas (TOAs).
3. Direct staff to return in Fall 2024 with the results of the analysis on the proposed VMT mitigation program options.

### **EQUITY IMPACT STATEMENT**

Reducing or offsetting Vehicle Miles Traveled (VMT) through a VMT mitigation program will reduce environmental and public health impacts associated with transportation, including noise, air pollution and safety issues, particularly in underserved communities. Supporting infrastructure development in more dense communities, particularly where there has been historic disinvestment, helps improve equity by serving more people with the greatest need. These areas are also opportunities for additional future housing, which will be supported by infrastructure that allows for safe walking and mobility for people of all ages, abilities and means.

### **SUSTAINABILITY IMPACT STATEMENT**

The development of a VMT mitigation program will further the County of San Diego's commitment to sustainability through alignment with the County's Strategic Initiative of Sustainability. A mitigation program could provide mitigation options for development in focused areas, which will reduce VMT and associated greenhouse gas emissions combating climate change. Focusing housing in areas closer to jobs and services will also protect natural habitat and sensitive species by developing in more urban infill areas, which is a key sustainability initiative. The mitigation program would also provide additional opportunities for housing and VMT reducing infrastructure that align with the County's Equity Initiatives regarding Housing, including the addition of bike lanes and sidewalks in existing communities to ensure infrastructure is provided along with housing opportunities that meet the needs of the community.

### **FISCAL IMPACT**

There is no fiscal impact associated with receiving the report presented today. Funds in the amount of \$2,900,000 are included in Fiscal Year (FY) 2024-25 CAO Recommended Operational Plan Change Letter in Planning & Development Services (PDS) for the development of a VMT mitigation program and to fund the Environmental Impact Report. The funding source is one-time General Purpose Revenue.

Funds in the amount of \$7,137,466 are included in the FY 2024-25 CAO Recommended Operational Plan Change Letter for PDS associated with the development of three related efforts, the Sustainable Land Use Framework, Program Environmental Impact Report (PEIR) for Removing Barriers to Housing, and the Development Feasibility Analysis (DFA). The funding source is one-time General Purpose Revenue. There may be fiscal impacts associated with future related recommendations which staff would return to the Board for consideration and approval. If density increases are directed as part of the VMT mitigation program in the fall, additional funding may be needed depending on the scale of the proposed changes. Staff can explore if additional funding is needed for the density increases or if they can be covered by the funding for the Sustainable Land Use Framework, PEIR, and DFA. Upon return by staff in Fall 2024, funding for any needed future costs will be identified by the department. Once funding is identified, the Department will return to the Board with a mid-year action to adjust the budget if necessary and/or incorporate in future budgets should funding become available. At this time, there is no change in net General Fund costs and no additional staff years.

### **BUSINESS IMPACT STATEMENT**

A VMT mitigation program could help facilitate additional development and support the development, construction and housing sectors.

**ACTION:**

ON MOTION of Supervisor Vargas, seconded by Supervisor Anderson, the Board of Supervisors took the following actions:

- Approved staff recommendations to continue to research the four VMT Mitigation Program options and return in Winter with the additional analysis as well as the other Board requested items including staff to include an additional option for a VMT Mitigation Program within the General Plan village areas;
- Staff to provide additional information on the number of housing units built since the General Plan was adopted in 2011, how the high fire zones overlay with the VMT Areas, Fire Insurance for homes located in the high fire zones, and the status of the court case regarding the County's VMT Guidelines; and
- Continue to work with project applicants to review projects on a case-by-case basis to determine the applicability of the 15183-exemption process.

AYES: Vargas, Anderson, Lawson-Remer, Montgomery Steppe, Desmond

**9. SUBJECT: NON-AGENDA PUBLIC COMMUNICATION (DISTRICTS: ALL)**

**OVERVIEW**

Mark spoke to the Board regarding Agenda 21.

Robert Germann spoke to the Board regarding environmental impacts of private planes.

Bill Stanhope spoke to the Board regarding concerns of homelessness and tiny homes.

Cesar Javier spoke to the Board regarding air pollution toxicity in his neighborhood.

Gambler spoke to the Board regarding honesty of Board members.

Paul the Bold spoke to the Board regarding concerns of leaded fuel and battery storage.

Truth spoke to the Board regarding actions of the Board and County staff.

Kevin Stevenson spoke to the Board regarding public comments.

Consuelo spoke to the Board regarding government actions.

Megan Stuart spoke to the Board regarding fire hazards associated with illegal growth of marijuana.

Diane Grace spoke to the Board regarding concerns of marijuana storefronts.

Terri-Ann Skelly spoke to the Board regarding concerns of marijuana businesses in the unincorporated areas.

Audra spoke to the board regarding actions of the Board of Supervisors.

Ann Riddle spoke to the Board regarding the social equitable marijuana program.

Peggy Walker spoke to the Board regarding the marijuana extension programs.

**ACTION:**

Heard, Referred to the Chief Administrative Officer.

There being no further business, the Board adjourned at 12:30 p.m. in memory of Assistant Chief Phil Collum.

ANDREW POTTER  
Clerk of the Board of Supervisors  
County of San Diego, State of California

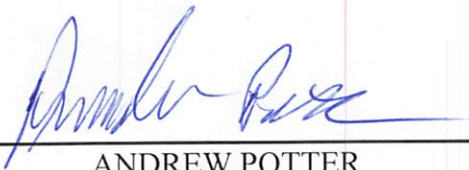
Consent: Valdivia  
Discussion: Zurita

NOTE: This Statement of Proceedings sets forth all actions taken by the County of San Diego Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors, on Wednesday, June 26, 2024.

  
NORA VARGAS  
Chair

Attest:

  
ANDREW POTTER  
Clerk of the Board

06/05/2024